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Division of Early Care and Education
Bureau of Early Care Regulation

ANNUAL REPORT: CHILD CARE LICENSING AND CERTIFICATION ACTIVITY January – December 2018

The mission of the Bureau of Early Care Regulation (BECR) is to promote and protect the health, safety and welfare of children in child care settings. BECR works to ensure licensing requirements are met through inspections of licensed family and group child care centers and day camps, license exempt public school programs, and certified child care programs in Milwaukee County. BECR provides training and consultation to child care certifiers employed by counties, tribes and subcontracted agencies outside of Milwaukee County.

Types of regulated child care include:

- Certified Care (care for up to 3 children under age 7, but may care for a group maximum of 6 that includes day care children ages 7 and older and/or their own/related children under the age of 7)
- Licensed Family Child Care (up to 8 children under the age of 7)
- Licensed Group Child Care (9 or more children under the age of 7)
- Day Camp (seasonal program for 4 or more children ages 3 and up)
- License exempt public school child care programs (operated by or under contract with public school districts)

Together, licensed, certified and license exempt child care programs served over 270,000 children in Wisconsin in 2018.

The following highlights some of BECR's accomplishments in 2018:

- Over 8,600 on-site visits were conducted in 2018 to monitor over 4,100 licensed and license exempt public school facilities. Licensing staff verified compliance with administrative rules and provided technical assistance, completed over 1,600 complaint investigations of licensed and unlicensed programs, and reviewed and closed nearly 1,600 self-reported incidents and injuries involving a child in licensed care.
- BECR issued over 1,000 enforcement actions in 2018.
- Over 580 certified child care providers received nearly 1,200 on-site visits by county certifiers and BECR Southeastern Regional Office staff in 2018.

- BECR licensing specialists reviewed over 1.3 million rules at licensed child care centers in 2018. Ninety eight percent of the rules reviewed by BECR were met by licensed centers, with only two percent resulting in a violation.
- Bureau of Early Care Regulation has assumed new responsibilities resulting from the 2014 reauthorization of the federal Child Care and Development Block Grant, including annual health and safety rule monitoring, expanded caregiver background check requirements, monitoring of license exempt programs, emergency planning, new training requirements focusing on health and safety, and pre-service and continuing education for licensed and certified providers.
- BECR continues to collect feedback from child care license applicants, current licensees and closed providers through customer satisfaction surveys. In 2018, 365 child care applicants and licensees completed the voluntary survey. The results of the survey speak positively about the quality of the services BECR delivers. Ninety three percent of respondents indicated that the licensing specialist identified the purpose of the visit and ninety five percent of respondents indicated that their licensing specialist was professional, courteous and had clearly explained the results of the visit.
- Eleven computer-based training modules for licensing staff are now being offered on the DCF training website. These training modules address topics such as background checks, use of authority, vehicle safety alarms, complaint investigations and enforcements.

The remainder of this report provides information on numbers of regulated child care centers, capacity, children served, monitoring, complaint and enforcement activity, frequently cited violations and background checks.

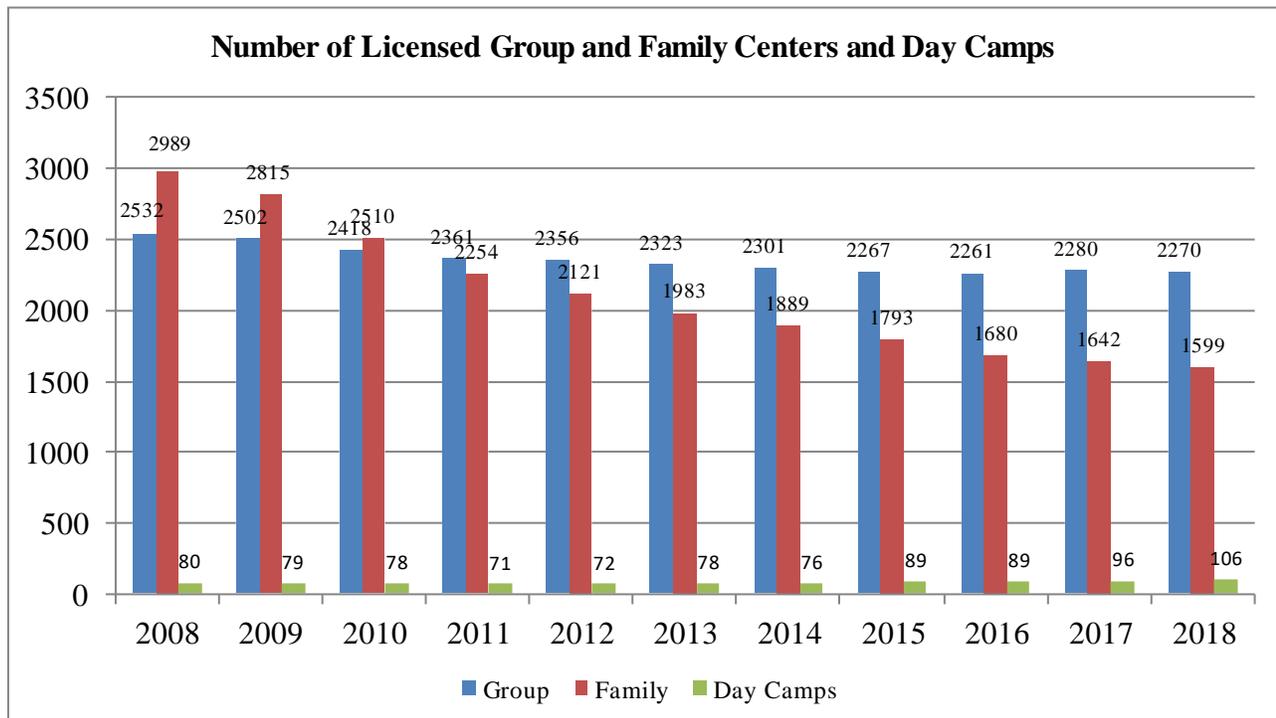
Licensed Providers, Capacity and Estimated Enrolled Children

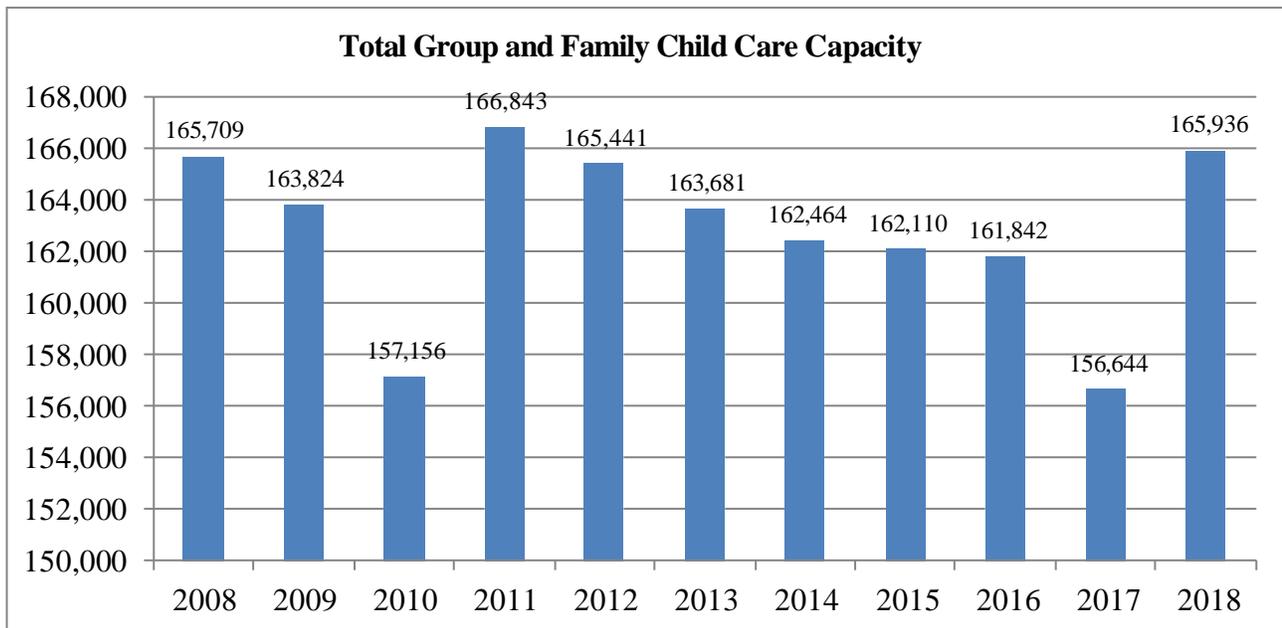
As of December 31, 2018, there were 3,975 licensed child care centers and day camps in Wisconsin. Of the 3,975 licensed centers, 57% (2,270) were licensed group centers, 40% (1,599) were licensed family centers and (3%) 106 were licensed day camps. The overall number of licensed child care facilities operating in 2018 decreased by nearly 1% compared to the number of facilities operating in 2017 (4,002). The number of group child care centers remained about the same between 2017 and 2018 while the number of family child care centers dropped by nearly 2% during this same period. The number of day camps increased by 10% during this period.

An estimated 234,181 children were served in licensed child care centers and day camps in 2018. The following charts show the number of licensed providers and capacity in 2018, estimated enrolled children, and the change over time in number and total capacity of providers.

	Total No. of Providers	Total Daytime Capacity	Total Night-time Capacity	Estimated Number of Enrolled Children*
Licensed Group	2,270	142,173	8,836	200,842
Licensed Family	1,599	12,695	2,232	19,853
Licensed Day Camps	106	10,140	0	13,486
TOTAL	3,975	165,008	11,068	234,181

***The estimated number of enrolled children in licensed care is calculated by multiplying licensed capacity by 1.33. Due to part-time care, licensed slots are often filled by more than one child.*





License Exempt Public School Programs

Wisconsin’s license exempt public school programs are child care programs operated by or under contract with public school districts. Pursuant to Wis. Stat. § 120.13(14), a child care program established and provided by a school board is not required to be licensed but must comply with the applicable child care licensing standards governing the operation of licensed group child care centers. BECR is the designated state agency responsible for monitoring license exempt programs receiving Wisconsin Shares. As of December 31, 2018, there were 204 license exempt programs subject to annual monitoring by BECR licensing specialists. These programs had a capacity of 24,481 and served approximately 32,560 children in 2018.

Serious Injuries and Deaths in Child Care

There were 1,441 serious injuries (injuries that required medical attention) in licensed and license exempt child care centers during 2018. There were 1,302 injuries in group child care, 83 injuries in family child care, 28 in day camps, 25 in license exempt public school programs and 3 in certified care. During the same year, there were three deaths in licensed child care centers and no deaths in certified or license exempt public school programs.

There were 129 referrals for child protective services investigations in 2018 and twenty-eight of these resulted in a substantiated finding of child abuse or neglect in 2018. Eighteen of these substantiations occurred while the child was in the care of a child care center.

New Applications for Child Care Licenses

During 2018, the BECR regional office staff received and processed 375 new applications for licensure. Three hundred and forty-six new applications (92%) were approved during this time period. There were

201 applications to provide certified care during this same time period and 190 applications (95%) were approved.

Licensing Monitoring Activities

There are 54 BECR licensing specialists (51.3 full-time equivalent) responsible for monitoring licensed centers, license exempt programs and certified providers in Milwaukee County. Each licensing specialist’s caseload includes a mix of providers. As of December of 2018, the average caseload is 86.3 child care programs per licensing specialist.

Throughout the year, BECR staff is involved in opening new and relocated licensed child care centers, closing licensed centers and conducting routine monitoring of others. Child care centers and camps must be visited at least once per year by a licensing specialist to monitor for compliance with the administrative rules. In practice, the average number of visits to centers is nearly two per year. Licensing specialists also complete an annual review of all health and safety rules identified in ten areas designated critical to the protection of children in care.

BECR conducted 8,688 visits to licensed centers and license exempt public school programs to monitor, provide technical assistance, verify compliance, review accident/incident reports and investigate complaints. An additional 181 visits were made to unregulated child care locations in response to allegations of unlicensed care. In addition, licensing specialists attempted 543 visits in which they were unable to gain entry during the center’s licensed hours of operation.

Licensing specialists made 181 visits to unregulated child care locations in 2018, in response to allegations of unlicensed care.

The following table shows the number of visits/reviews of child care providers in 2018, by reason type.

Purpose of the Visit/Review	Number
Complaint Regarding Licensed Center	1,531
Complaint Regarding Unlicensed Center	181
Enforcement Action Compliance Verification	101
Initial Licensing Study	512
License Amendment	126
Monitoring for Licensing	5,698
Pre-licensing Technical Assistance	13
Technical Assistance for Licensed Facility or License Exempt Program	318
Verification of CFS-294	188
Offsite Record Review	201
Total Number of Visits/Reviews	8,869

Licensing Complaints

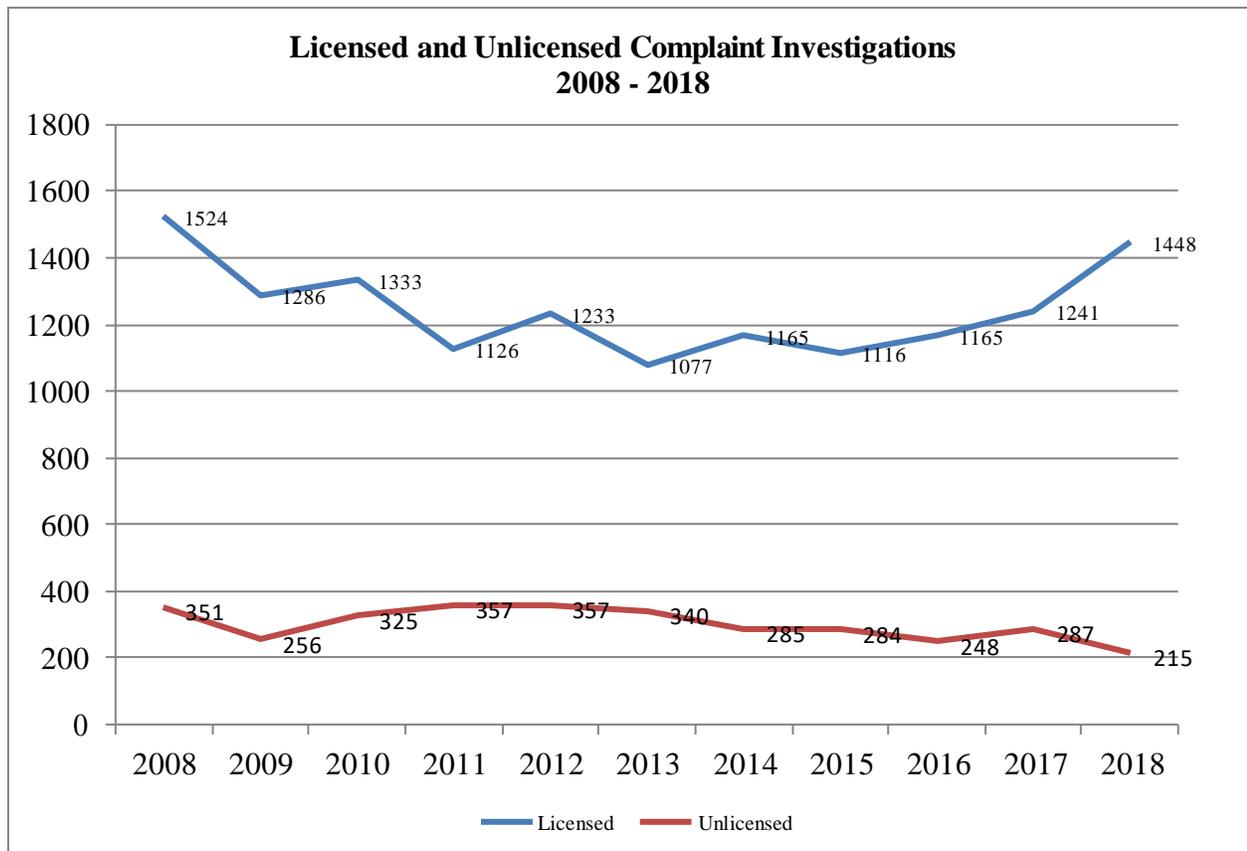
BECR received 1,448 complaints concerning licensed child care centers in 2018. This compares to 1,241 complaints in 2017, an increase of 16% between 2017 and 2018.

In 2018, 586 complaints regarding licensed child care were substantiated while 758 complaints were unsubstantiated. A complaint is considered substantiated when at least one of the allegations contained in the complaint results in issuance of a rule violation.

BECR received 215 complaints alleging unlicensed child care in 2018. There were 70 unlicensed complaints that were substantiated while 136 complaints were unsubstantiated.

The following two charts reflect the number and status of complaints, and the variation in number of complaints over time.

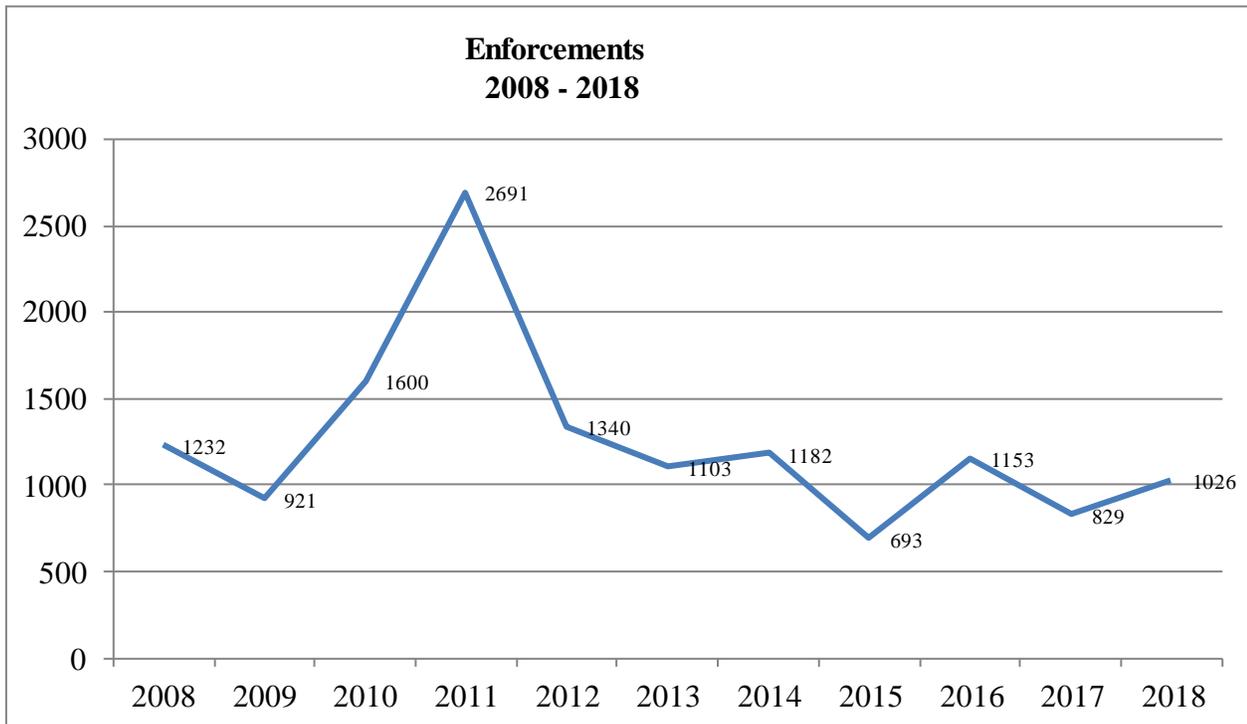
	Received	Closed	Substantiated	Unsubstantiated
Licensed Complaints	1,448	1,344	586 (44%)	758 (56%)
Unlicensed Complaints	215	206	70 (34%)	136 (66%)



Enforcement Activity with Licensed Centers

Enforcement actions are initiated when, because of the severity of violations and/or a pattern of repeated violations, the health, safety and welfare of children in care is at risk. Progressive enforcement refers to a series of actions taken to gain compliance with administrative rules when previous efforts, such as citing the violation or providing technical assistance, have not worked. Enforcement actions are authorized in statute and can ultimately lead to revocation of a license.

In 2018, there were 1,026 enforcement actions. The following two charts show total number of licensing enforcement actions since 2008 and the types of enforcement actions issued in 2018.



Note: Warning Letters issued to licensees for failing to submit an annual Background Information Disclosure form, a new statutory requirement at that time, caused the significant spike in 2011.

Licensing Enforcements Issued in 2018	
Denials	34
Forfeitures/Direct Forfeitures	263
Orders/Stop Operating Orders	301
Revocations	79
Summary Suspensions	1
Warning Letters	322
Second Probationary License Due to Noncompliance	26
TOTAL	1,026

Most Frequently Cited Licensed Child Care Rule Violations

In 2018, the top five most frequently cited rule violations in **licensed family child care centers** were violations related to the following:

Current, Accurate Daily Attendance Record;
Child Record – Enrollment & Health History Forms;
Biennial Training – Child Abuse and Neglect;
Practice of Written Emergency Plans;
Provider Training – Cardiopulmonary Resuscitation;

In 2018, the top five most frequently cited rule violations in **licensed group child care centers** were violations related to the following:

Reviewing Injury Records;
Child Record – Enrollment Information;
Staff File – Registry Certificate, Educational Qualifications;
Infant and Toddler- Documenting Changes in Development;
Staff File – Physical Examination Report;

In 2018, the top five most frequently cited rule violations in **day camps** were violations related to the following:

Medication Administration – Parental Authorization;
Child Tracking Procedure;
Child Record – Health History;
Cardiopulmonary Resuscitation Training;
Staff File – Pre-Camp Training;

Attachment A provides a listing of the twenty most frequently cited licensed child care rule violations in family and group centers and day camps in 2018.

Number and Capacity of Certified Child Care Centers

As of December 31, 2018, there were 580 certified family providers and 4 certified school-age programs. This is an 22% decrease in certified providers, compared to 2016. An estimated 3,694 children were served in certified child care in 2018.

The following table shows the number of certified child care centers and estimated number of children enrolled in certified care in 2018.

	Total No. of Providers	Group Size	Children Under the Age of 7	Estimated Number of Enrolled Children*
Certified Family	580	3,332	1,677	3,480
Certified School Age	4	161	0	214
TOTAL	584	3,493	1,677	3,694

* *The estimated number of enrolled children in certified family care is calculated by multiplying the number of providers by 6. The estimated number of enrolled children in **certified school-age care** is calculated by multiplying capacity by 1.33. Due to part-time care, slots are often filled by more than one child.*

Certified Provider Monitoring

Monitoring of certified family child care and certified school-age care is conducted by BECR licensing specialists (for Milwaukee County certified programs) and certifiers employed by the counties, tribes and subcontracted agencies in the balance of the state.

Certifiers completed 1,165 on-site visits of certified centers in 2018 to monitor, provide technical assistance, verify compliance and investigate complaints. Beginning in November of 2018, all certified providers must receive one unannounced monitoring visit each year.

In addition to 1,165 visits/reviews of certified centers in 2018, certifiers made 302 attempted visits to centers throughout the year but were unable to gain access. The following table shows the number of visits made to certified child care centers in 2018, by reason type.

Purpose of the Visit	Number
Annual Visit/Monitoring/294 Verification/Other	681
Complaint Visit	36
Expired Re-Certification Visit	10
Initial Provider Visit	162
Re-Certification Visit	200
Relocation Visit	17
Technical Assistance Visit	59
TOTAL	1,165

The following table shows the enforcement actions issued to certified programs in 2018.

Certification Enforcements Issued in 2018	
Denials	15
Revocations	15
Suspensions	13
Warning Letters	43
TOTAL	86

Child Care Background Checks

As of October 1, 2018, the BECR Caregiver Background Unit (CBU) implemented new background check provisions required under the federal Child Care Development and Block Grant. Under the new requirements, all caregiver and non-caregiver child care employees and household members must undergo a DCF fingerprint-based background check every five years to be eligible to operate, work at, or reside in a child care center. To meet these new responsibilities, the number of CBU staff devoted to processing and review of background checks has been increased to 18.75 FTE staff. During 2018, the CBU completed over 5,600 Department of Justice background checks and over 1,600 FBI checks for child care providers.

For additional information regarding the Division of Early Care and Education child care activities in the 2018, the Division's annual summary is located here:

<https://dcf.wisconsin.gov/files/childcare/pdf/2018-dece-annual-report.pdf>

Attachment

Twenty Most Frequently Cited Family Child Care Violations – 2018

Violation Code	Description	Total
250.04(6)(b)	CURRENT, ACCURATE DAILY ATTENDANCE RECORD	267
250.04(6)(a)1.	CHILD RECORD - ENROLLMENT & HEALTH HISTORY FORMS	265
250.04(8)(b)	BIENNIAL TRAINING - CHILD ABUSE & NEGLECT	218
250.06(3)	PRACTICE OF WRITTEN EMERGENCY PLANS	204
250.05(1)(b)5.	PROVIDER TRAINING - CARDIOPULMONARY RESUSCITATION	186
250.07(6)(L)1.	HEALTH EXAM - CHILD UNDER AGE 2	175
250.04(5)(d)	STAFF FILE - DAYS, HOURS WORKED	165
250.06(2)(c)	ACCESS TO MATERIALS POTENTIALLY HARMFUL TO CHILDREN	148
250.04(6)(a)4.	CHILD RECORD - IMMUNIZATION HISTORY, PHYSICAL EXAM	145
250.06(2)(e)	POTENTIAL SOURCE OF HARM ON PREMISES	144
250.06(4)(a)	SMOKE DETECTORS	126
250.07(6)(L)2.	HEALTH EXAM - CHILD AGE OVER AGE 2	121
250.05(1)(b)4.	PROVIDER TRAINING - CONTINUING EDUCATION	119
250.06(2)(k)	DETERIORATING OR TOXIC PAINT	100
250.06(5)	PREMISES, FURNISHINGS, EQUIPMENT - CONDITION & REPAIR	99
250.05(3)(L)	PROCEDURE - NUMBER, NAMES, WHEREABOUTS KNOWN AT ALL TIMES	91
250.09(4)(b)	INFANT & TODDLER - DIAPER CHANGING SURFACE - DISINFECTION	91
250.06(2)(a)	ELECTRICAL OR HOT SURFACE PROTECTION	84
250.04(5)(e)	STAFF FILE - PHYSICAL EXAMINATION - FORM	83
250.11(5)(b)	CONTINUATION LICENSE - APPLICATION MATERIALS SUBMISSION DATE	81

Twenty Most Frequently Cited Group Child Care Violations – 2018

Violation Code	Description	Total
251.07(6)(j)9.	REVIEWING INJURY RECORDS	338
251.04(6)(a)1.	CHILD RECORD - ENROLLMENT INFORMATION	337
251.04(5)(a)5.	STAFF FILE - REGISTRY CERTIFICATE, EDUCATIONAL QUALIFICATIONS	297
251.09(1)(c)	INFANT & TODDLER - DOCUMENTING CHANGES IN DEVELOPMENT	293
251.04(5)(a)4.	STAFF FILE - PHYSICAL EXAMINATION REPORT	292
251.05(1)(L)1.	STAFF HEALTH EXAMINATION - REQUIREMENTS	271
251.06(9)(d)2.a.	FOOD STORAGE - DRY FOOD	258
251.06(3)(c)	EMERGENCIES - RECORD OF FIRE / TORNADO DRILLS	195
251.04(5)(a)1.	STAFF FILE - STAFF RECORD INFORMATION	192
251.05(3)(c)	CLOSE SUPERVISION OF CHILDREN	190
251.04(6)(c)1.	MEDICAL LOG - REQUIREMENTS	170
251.04(2)(L)	MONITORING RESULTS, STIPULATIONS, CONDITIONS, EXCEPTIONS POSTED	145
251.04(5)(a)8.	STAFF FILE - DAYS & HOURS WORKED	144
251.06(9)(d)1.b.	FOOD STORAGE - REFRIGERATION UNITS	141
251.05(3)(f)	CHILD TRACKING PROCEDURE	138
251.09(1)(b)	INFANT & TODDLER - LOCATION & SHARING INTAKE INFORMATION	134
251.04(5)(a)	STAFF FILE - MAINTENANCE & AVAILABILITY	126
251.06(9)(d)1.c.	FOOD STORAGE - COLD STORAGE THERMOMETERS	123
251.09(3)(a)2.	INFANT & TODDLER - FOOD & FORMULA BROUGHT FROM HOME	120
251.06(5)(c)	GARBAGE CONTAINERS - CONSTRUCTION & DISPOSAL SCHEDULE	112

Twenty Most Frequently Cited Day Camp Violations – 2018

Violation Code	Description	Total
252.44(6)(e)1.a.	MEDICATION ADMINISTRATION - PARENTAL AUTHORIZATION	22
252.42(3)(g)	CHILD TRACKING PROCEDURE	15
252.41(4)(a)6.	CHILD RECORD - HEALTH HISTORY	14
252.42(2)(e)	CARDIOPULMONARY RESUSCITATION TRAINING	14
252.41(3)(a)5.	STAFF FILE - PRE-CAMP TRAINING	13
252.41(4)(b)2.	MEDICAL LOG - REQUIREMENTS	13
252.43(2)(a)5.	POTENTIAL SOURCE OF HARM OR CONDITION OF PREMISES	13
252.41(4)(a)1.a.	CHILD RECORD - ENROLLMENT INFORMATION	12
252.43(2)(a)6.	ACCESSIBLE TOXIC SUBSTANCES	12
252.41(3)(a)3.	STAFF FILE - BACKGROUND INFORMATION DISCLOSURE FORM	11
252.41(3)(a)4.	STAFF FILE - CAREGIVER BACKGROUND CHECK RESULTS	10
252.41(4)(a)8.	CHILD RECORD - SWIMMING ABILITY ASSESSMENT	10
252.44(6)(e)4.	MEDICATION STORAGE - CURRENT AUTHORIZATION	10
252.41(1)(L)	MONITORING RESULTS, STIPULATIONS, CONDITIONS, EXCEPTIONS POSTED	8
252.43(3)(a)4.	PAINTED SURFACES - LEAD FREE & MAINTAINED	8
252.43(3)(d)1.	DRINKING WATER AVAILABILITY	8
252.44(6)(h)	RECORD OF IMMUNIZATIONS	8
252.41(1)(a)	COMPLIANCE WITH LAWS	7
252.41(4)(c)	CURRENT, ACCURATE DAILY ATTENDANCE RECORD	7
252.42(3)(a)	SUPERVISION OF CHILDREN	7